

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 13, 2006
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Bernie Heier
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, APRIL 6, 2006

MOTION: Stevens moved and Workman seconded approval of the Staff Meeting minutes of April 6, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Change of Third Party Administrator (TPA) Status for Payors, Attachment 2.6, with the New York State Department of Health for Lancaster County's Self-Funded Group Health Plan
- B. Concealed Weapons

MOTION: Stevens moved and Hudkins seconded approval of the additions to the agenda. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update and an updated list of legislative bills (Exhibits A & B).

Dean Settle, Community Mental Health Center Director, appeared and reported that the majority of concerns regarding LB 1199 (Change provisions relating to sexual assault of a child, sex offenders, and rename the Nebraska Mental Health Commitment Act) have been addressed. He said there is \$6.5 million in new authorized funding which he said should be sufficient for the first fiscal year.

ADDITIONS TO THE AGENDA

- A. Change of Third Party Administrator (TPA) Status for Payors, Attachment 2.6, with the New York State Department of Health for Lancaster County's Self-Funded Group Health Plan

Tom Fox, Deputy County Attorney, said Blue Cross and Blue Shield of Nebraska provided the wrong federal tax identification number on the form. The error has been corrected on the form and will need to be initialed.

MOTION: Stevens moved and Workman seconded to authorize the Chair to initial the change on the form. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

ADDITIONS TO THE AGENDA

MOTION: Workman moved and Heier seconded to add discussion of concerns related to Blue Cross and Blue Shield of Nebraska to the agenda. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

- C. Concerns Related to Blue Cross and Blue Shield of Nebraska

Concerns were expressed regarding co-pay amounts and monitoring of deductibles. Board consensus was to schedule discussion with Bill Kostner, City Risk Manager; a representative of Blue Cross and Blue Shield of Nebraska; and Daryl Bell, Milliman USA (Insurance Consultant).

- B. Concealed Weapons

Hudkins said the Public Building Commission has scheduled discussion of this issue on its agenda and said there should be sufficient time to get a resolution in place by the date a law adopting the Concealed Handgun Permit Act takes effect.

- 4 **A) COUNTY SPECIAL PERMIT NO. 06016, TEMPORARY MOBILE HOME AT SOUTHWEST 119TH AND MIDWAY ROAD; AND B) COUNTY SPECIAL PERMIT NO. 06009, CHAMBERS ESTATES COMMUNITY UNIT PLAN (CUP), SOUTH 54TH STREET AND WITTSTRUCK ROAD** - Mike DeKalb, Planning Department

A) County Special Permit No. 06016

Mike DeKalb, Planning Department, gave an overview of County Special Permit No. 06016, a request from James and Wendy O'Brien for authority to locate and live in a mobile home while building a permanent residence, pursuant to Article 13.001(20) of the Lancaster County Zoning Resolution, on property at Southwest 119th and West Midway Road (Exhibit C). Planning staff and the Planning Commission have recommended conditional approval.

B) County Special Permit No. 06009

DeKalb gave an overview of County Special Permit No. 06009, Chambers Estates Community Unit Plan, a request from Engineering Design Consultants, on behalf of Jim and Phyllis Chambers, for authority to develop sixteen residential acreages on property northeast of the intersection of South 54th Street and Wittstruck Road (Exhibit D). A portion of the area of application is in Roca's zoning jurisdiction. Planning staff and the Planning Commission have recommended conditional approval.

- 5 **SALARY DIFFERENTIAL BETWEEN REPRESENTED AND UNREPRESENTED EMPLOYEES** - Don Thomas, County Engineer; Don Taute, Personnel Director; John Cripe, Classification and Pay Manager

Don Thomas, County Engineer, who represents the elected officials in union negotiations, expressed concern that an inequity has developed over the past four years between American Federation of State, County & Municipal Employees (AFSCME) represented employees and those in the unrepresented class. He said labor negotiations will begin next month and suggested that, if an inequity does exist, this would be an opportunity to try to rectify it.

John Cripe, Classification and Pay Manager, outlined the factors that contributed to the pay differential. He said it has been approximately seven years since there was a comprehensive study of the unrepresented class. He said there would be value in doing a new study, which will include gathering information on similar jobs in counties used for salary comparison. Cripe said the work will be extensive and will probably take all summer. He said the study might also help to resolve other issues, such as those raised in a letter from the Employees Advisory Team (EAT) (Exhibit E).

Workman asked whether there will be a comparison with the private sector.

Cripe explained that in many instances there may not be a match.

MOTION: Stevens moved and Workman seconded to ask the Personnel Department to do a comprehensive study of the unrepresented employees and job classifications. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

The Board also asked the Personnel Department to do a quick survey of benefits.

6 98th STREET UPDATE - Don Thomas, County Engineer

Don Thomas, County Engineer, gave an overview of plans for 98th Street. He said the one mile section from Old Cheney Road to Pine Lake Road is within the City's jurisdiction and said he will coordinate construction with the City on making a Rural to Urban Transportation System (RUTS) type road as the County proceeds north. Thomas said the mile section between "O" Street and "A" Street will be one of the more difficult and said he anticipates that there will be an agreement with Thomas J. and Rhonda J. Peed, Trustees (9800 "A" Street) that will delay construction for a number of years. Right-of-way acquisition will occur over the next few months.

Heier asked about plans for the section between Pine Lake Road and Yankee Hill Road.

Larry Worrell, County Surveyor, appeared and said the City has annexed half of that section and the remainder will be annexed in the near future, with the exception of a hundred yards on the south end.

Brief discussion also took place regarding development between Holdrege Street and "O" Street. It was noted that an urban, curbed version of RUTS model is planned for that section, which is scheduled to be annexed by the City.

Heier exited the meeting at 10:05 a.m.

7 WYNDAM ESTATES - Kent Seacrest, Attorney at Law; Marcia Kinning, ESP; Mike DeKalb, Planning Department

Kent Seacrest, Attorney at Law, presented an overview of recent action related to the development and two final plat options (Exhibits F, G & H).

Extensive discussion followed regarding the lot configuration and concerns related to proposed access to Holdrege Street.

There was general consensus to schedule Resolution 05-0152, County Final Plat No. 05094: Wyndam Place 2nd Addition and a subdivision agreement relating to County Final Plat No. 05094: Wyndam Place 2nd Addition as Old Business items on the Tuesday, Board of Commissioners Meeting agenda and to indicate a preference for Option One.

8 POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney

MOTION: Workman moved and Hudkins seconded to enter Executive Session at 10:47 a.m. for discussion of potential litigation. Workman, Hudkins, Stevens and Schorr voted aye. Heier was absent from voting. Motion carried.

Heier returned to the meeting.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 11:41 a.m. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

9 FAMILIES FIRST & FOREMOST (F³) ASSETS - Kristy Mundt, Deputy County Attorney

Gwen Thorpe, Deputy Chief Administrative Officer, said there has been no direction from the State on what to do with Families First & Foremost's (F³'s) assets and they remain on the County's fixed assets list.

Kristy Mundt, Deputy County Attorney, said the assets can be transferred to the State, provided the State accepts the transfer.

The Board asked Mundt to draft an agreement transferring the assets to the State and a cover letter.

10 ACTION ITEMS

A. Clean Your Files Week 2006 (April 17-21, 2006)

Board consensus was to schedule a resolution recognizing Clean Your Files Week 2006 on the Tuesday, April 18, 2006 Board of Commissioners Meeting agenda.

B. Microcomputer Request C#2006-148, Emergency PC Purchase for Sheriff, \$722.80 from Microcomputer Fund

MOTION: Hudkins moved and Workman seconded approval. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

- C. Authorize Wells Fargo Bank, as Trustee, to Disburse \$94,691.74 from the Lancaster County Leasing Corporation Renewal and Replacement Fund to Anderson Ford Mazda for Two (2) Vans for Lancaster Manor

MOTION: Heier moved and Hudkins seconded approval. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

- A. Rural Issues Workshop (Dave Ptak)

Board consensus was to hold a concurrent workshop with the Planning Commission on May 2, 2006 from 10 a.m. to 12 p.m.

- B. Cars for Community Corrections

The Board suggested that Kim Etherton, Community Corrections Director, ask the County Engineer's Maintenance Shop for an estimate of repair costs and ask to get on the list to receive Sheriff's Department vehicles that are taken out of service.

The surplus vehicle procedure was suggested as a Management Team topic.

- C. Reappointments to the Lincoln-Lancaster County Board of Health (Larry Hudkins, Tony Messineo, Hena Roy and Ed Schneider)

The Board scheduled the item on the Tuesday, April 18, 2006 Board of Commissioners Meeting agenda.

- D. Mobile Home at 11212 West Denton Road

Stevens said Building and Safety received a complaint that a mobile home had been placed on a lot that already has an existing dwelling unit. Building and Safety followed up with an inspection and notified the owners that the second dwelling is not a permitted use under the Lancaster County Zoning Regulations and must be removed. A second dwelling could be allowed if the original farmstead were divided off from the 37 acre farm per Section 4.017(h) of the Lancaster County Zoning Regulations. The newly created tract would have to be a minimum of 20 acres. However, the mobile home does not meet other criteria listed in the Zoning Regulations. Stevens said the owner contacted him and said he believes he is being discriminated against because there are five or six other mobile homes in the area. He informed him that inspections are complaint driven.

The Board asked that a meeting be scheduled with a representative of Norris Public Power to discuss notifying Building and Safety when a new meter and electrical service is requested for a mobile home.

E. Exceptional Circumstance Award (Bob Bourke and Mike Lee)

Board members expressed concern regarding the suggested award amount (\$2,000 each).

MOTION: Hudkins moved to give each a \$1,000 award, instead of the \$2,000 each that was recommended by their supervisor.

The motion died for the lack of a second.

MOTION: Workman moved and Heier seconded to give each a \$500 award.

The maker of the motion and the seconder amended their motion to direct Kerry Eagan, Chief Administrative Officer, to notify Don Killeen, County Property Manager, that the Board would support an award of \$500 each.

ROLL CALL: Workman, Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

F. Response to Address Change Complaints

Pauline Schmidt, 6101 Northwest 105th Street, Malcolm, Nebraska and Paul E. Petersen, 6205 Northwest 105th Street, Malcolm, Nebraska appeared and voiced concern regarding their address changes.

Brief discussion took place regarding the need for an appeal process.

MOTION: Workman moved and Hudkins seconded to direct Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; and Doug Pillard, County Engineering, to develop a plan for an appeal process. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

G. Pending Policy

The Board reviewed the draft policy (Exhibit I) and scheduled action on the Tuesday, April 18, 2006 Board of Commissioners Meeting agenda.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Monthly Meeting of County Board Chair/Vice Chair and Mayor - Workman, Stevens

Workman said he and Stevens asked the City to share in the cost of improvements to Arbor Road, east of North 70th Street, but said there was no commitment from the Mayor.

Stevens said Mayor Seng asked about County support of Lincoln Fire and Rescue. He referred to the plan for uniform billing and to not have Lincoln Fire and Rescue respond to lower level calls.

B. Region V Governing Board - Schorr

Schorr said the Lincoln Police Department gave a presentation on Emergency Protective Custody (EPC) System. Brad Sher, Bryan LGH Medical Center, presented a proposed legal settlement. The issue was deferred for one month.

Schorr said the Integrated Care Coordination Unit (ICCU) contracted for services when Families First & Foremost (F³) was under the County (F³ was transferred to Region V). She said the Nebraska Department of Health and Human Services (HHS) wants the unit to mirror the systems in other Regions and so those contractors will become Region V employees . Mental health providers have expressed concern because Regions aren't supposed to provide mental health services if those services are available in the community.

13 ADJOURNMENT

MOTION: Stevens moved and Workman seconded to adjourn the meeting at 12:25 p.m. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk